

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**HOUSE NATURAL RESOURCES COMMITTEE**

**Date:** Friday, March 6, 2009

**Time:** 3:00 pm

**Place:** Capitol

**Room:** 472

**BILLS and RESOLUTIONS HEARD:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

\_\_\_\_\_  
\_\_\_\_\_

**EXECUTIVE ACTION TAKEN:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

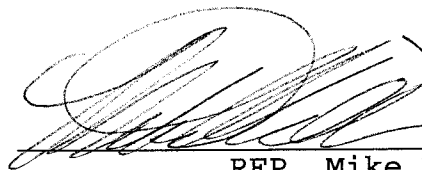
SB 5-BC SB201-BC \_\_\_\_\_

SB 25-BC \_\_\_\_\_

SB 102-BC \_\_\_\_\_

SB 120-BC \_\_\_\_\_

**COMMENTS:**



REP. Mike Milburn, Chairman

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**Natural Resources Committee**

DATE: 3/6/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Vice Chair Gordon Hendrick	✓	
Vice Chair JP Pomnichowski	✓	
Rep. Kendall Van Dyk	✓	
Rep. Michele Reinhart	✓	
Rep. Scott Mendenhall	✓	
Rep. Mike Miller	✓	
Rep. Betsy Hands		✓
Rep. Brian Hoven	✓	
Rep. Anders Blewett	✓	
Rep. Tom McGillvray	✓	
Rep. Jill Cohenour		✓
Rep. Gerald Bennett	✓	
Rep. Sue Dickenson	✓	
Rep. Tony Belcourt	✓	
Rep. Chas Vincent	✓	
Rep. Wendy Warburton	✓	
Rep. Mike Menahan	✓	
Chairman Mike Milburn	✓	

# AUTHORIZED COMMITTEE PROXY

I request to be excused from the Nat. Resources. House

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. JF Pannichan

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

SB5 DO CONCUR	X	
SB25 DO CONCUR	X	
SB102 DO CONCUR	X	
SB120 DO CONCUR	X	
SB201 DO CONCUR	X	

BILL/AMENDMENT

AYE NO


Rep. Betty L...  
(Signature)

Date 6 Mch 09

**AUTHORIZED  
COMMITTEE PROXY**

I request to be excused from the Natural Resources (House)

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. IP Pannichong

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

SB5 DO CONCUR	X	
SB25 DO CONCUR	X	
SB102 DO CONCUR	X	
SB170 DO CONCUR	X	
SB201 DO CONCUR	X	

BILL/AMENDMENT

AYE NO


Rep.

Joe Korman  
(Signature)

Date

3-6-09

**MONTANA HOUSE OF REPRESENTATIVES  
VISITORS REGISTER**

**Natural Resources**

**Date** 3/6/09

**PLEASE PRINT**

**PLEASE PRINT**

**PLEASE PRINT**

<b>Name and Address</b>	<b>Representing</b>	<b>Bill No.</b>	<b>Support</b>	<b>Oppose</b>	<b>Inf.</b>
<i>Eugene Bizzini</i>	<i>DEQ/PLS</i>	<i>SB 102</i>			<i>X</i>

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

*Additional  
Document***WOLFE WATER MANAGEMENT, INC.**

Montana state-certified water and wastewater operation

Lee Wolfe, President

3920 McHugh

Helena, Montana 59602

Ph. (406) 442-2949

Cell 349-2949

DATE: 03/03/2009

RE: Senate Bill 102

To House Natural Resources Committee Members,

**Introduction**

My name is Lee Wolfe. I am a Montana state certified water wastewater operator with thirty one years of experience in the water quality field. I worked as director of public works for the towns of Saco Montana, and Stanford Montana before becoming a technical assistant for Montana Rural Water Systems. For Montana Rural Water I traveled the state providing technical assistance to water systems of all different sizes. I am currently president of Wolfe Water Management Inc. ("WWM"). WWM is involved in the contract operation and maintenance of twenty five public wastewater and water systems in the Helena area. I have experience in all aspects of system operation and expenses. WWM represent our clients at the state and county level.

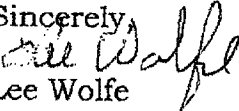
**Comment**

I believe it is important to encourage that senate bill 102 be passed to clarify the definition of the term **significant deficiency** ("SD"). When the federally passed ground water rule recently went into affect, SD became the tipping point for a huge increase in the EPA requirements imposed on public ground water systems. Unfortunately, SD is a subjective term interpreted by individuals involved in the sanitary surveys. These surveys are conducted by DEQ, Counties and private contractor personnel.

Because of SD implications and its subjectivity, DEQ has proposed a screening committee to determine if a SD designation on a sanitary survey is truly significant. This would insure no **insignificant** deficiency throw a public system into unwarranted extra testing and expense. The operators, Home Owners Associations, Water Users Associations, Cities, Towns, and Water Districts of Montana need that clarification.

Senate Bill 102 would give DEQ the ability to determine the SD designation by giving the required primacy over that part of the ground water rule. Without DEQ primacy in implementation of the ground water rule we defer to the EPA to make no determination beyond that of the sanitary surveyor. Please consider correcting this omission of DEQ primacy over this aspect of the ground water rule by voting for Senate Bill 102. Thank you.

Sincerely,



Lee Wolfe

Wolfe Water Management Inc.